STAND. COM. REP. NO. 3123

Honolulu, Hawaii

MAR 2 5 2014

RE: S.C.R. No. 77 S.D. 1

Honorable Donna Mercado Kim President of the Senate Twenty-Seventh State Legislature Regular Session of 2014 State of Hawaii

## Madam:

Your Committee on Water and Land, to which was referred S.C.R. No. 77 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT, COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIOHULI-KEOKEA HOMESTEADS, KIHEI, MAUI, FOR SEAWALL AND ROCK REVETMENT PURPOSES,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the issuance of a term, non-exclusive easement, covering a portion of state submerged lands at Waiohuli-Keokea Homesteads, Kihei, Maui, for seawall and rock revetment purposes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that a seawall and rubble rock revetment encumber approximately 2,387 square feet, of which is a portion of state submerged lands seaward of Tax Map Key: (2) 3-9-012:004. On May 18, 2006, the Office of Conservation and Coastal Lands of the Department of Land and Natural Resources determined that allowing the encroachment to remain through the issuance of an easement would have no adverse impact on natural resources, including beach resources and public access. On June 10, 2010, under agenda item D-10, the Board of Land and Natural Resources granted an amended approval for a fifty-five year term, non-exclusive easement to a private trust. This measure provides

legislative approval pursuant to section 171-53, Hawaii Revised Statutes, for the issuance of the easement.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 77, as amended herein, and recommends that it be referred to the Committee on Ways and Means, in the form attached hereto as S.C.R. No. 77, S.D. 1.

Respectfully submitted on behalf of the members of the Committee on Water and Land,

MALAMA SOLOMON Chai:

## The Senate Twenty-Seventh Legislature State of Hawai'i

## Record of Votes Committee on Water and Land WTL

Bill / Resolution No.:*	Committee	Referral:	Dat		. 1
SCR 77	WR	WAR	1 '	3.21	- 14
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
SOLOMON, Malama (C)		V			
GALUTERIA, Brickwood (VC)					
DELA CRUZ, Donovan M.					V
IHARA, Jr., Les		<b>V</b>			
RUDERMAN, Russell E.					
SHIMABUKURO, Maile S.	<u>L.</u>	<b>✓</b>			
TANIGUCHI, Brian					<b>V</b>
THIELEN, Laura H.		<b>/</b>			
SLOM, Sam		<u> </u>			
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TOTAL		V	0	0	3
Recommendation:					
Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution:  Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

<sup>\*</sup>Only one measure per Record of Votes